

MINUTES OF SPECIAL MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
CHENEY MIDDLE SCHOOL
WEST FARGO, NORTH DAKOTA
APRIL 6, 2011

The Southeast Cass Water Resource District met April 6, 2011, at 7:00 p.m. at Cheney Middle School, West Fargo, North Dakota.

Present were Mark Brodshaug, Manager; Dan Jacobson, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Sean M. Fredricks, Attorney for the Board; Jeff Volk, Chad Engels and Kyle Volk, Engineers for the Board and those whose names appear on the attached roster.

Sheyenne-Maple Flood Control Districts #1 and #2 – hearing regarding reassessment of benefits

Mark Brodshaug called the meeting to order and explained that the purpose for the meeting was to hold a hearing regarding the reassessment of benefits for Sheyenne-Maple Flood Control District #1 and #2.

Chad Engels gave a presentation on the projects and the proposed reassessment. A copy of the presentation is attached to these minutes.

The 65/35 split of costs was questioned. Jeff Volk explained the history of the projects and how they are separate. The maintenance costs go back to the cost of the original project. The cost per property was significantly less in West Fargo due to the number of structures. The West Fargo project does not need the Horace project to operate, but the Horace Project needs the West Fargo Project to operate.

Darrell Vanyo said he understands and has no problem with what was done in the past, but he does not know why the past has anything to do with the future. West Fargo residents south of I-94 are paying more for 100-year protection than West Fargo residents north of I-94 pay for 500-year protection. He suggested using this opportunity to combine the maintenance assessment districts. Manager Brodshaug said the Board hears the comments and will take the matter into consideration.

Mr. Volk pointed out that the West Fargo Project has pump stations to maintain, which do not benefit the Horace Project at all. The 65/35 cost share only relates to channel repairs on the West Fargo Project. There would have been very little cost share

required before the recent repair work. After the work is completed, the assessments will likely go down drastically on the Horace Project.

The property owner at 7505 66th Street, Horace, said his property drains to Drain #27. The Board will verify the assessment on the property.

It was explained that the assessment is yearly, based on values taken from the county tax rolls. Commercial properties were treated like residential properties. Schools and churches were brought in, based off of insurance values. Cemeteries and state properties are not assessed.

The Board was asked about the affects of Devils Lake water. Up to 600 cfs is projected out of Devils Lake. This would mean that the Sheyenne-Maple Flood Control Projects would operate continuously. The Board is working with the State Water Commission to let them know what the impact would be in this area and to request cost share to off-set the use of the channel.

Kevin Heiden asked about assessing properties west of the project for improved drainage. When the project is operating, they have no drainage. He said Tom Beaton's property would not have flooded before the project was built, now he has a 6' dike around his farmstead. Mr. Volk said it is clear that area did flood before the project was built. Before the project was built, the property was assessed into Drain #21. The property receives benefit for improved "normal" drainage. Mr. Heiden did agree the area flooded prior to the project, but believes the water stays there longer because of the project.

Gate operation on the West Fargo Project was discussed. It is very important to close the gates early enough. Too much water in the river through town could be a real issue. The north gates can remain open, provided the river does not back water into town.

Manager Brodshaug said the Board decides the amount to be levied each year. Prior to the last several years, the Horace Project was assessed at a much lower rate. The cost per property should continue to go down as more properties develop.

Concerns with river bank stabilization were expressed.

Various questions were addressed with regard to the impact the proposed Red River Diversion would have on the Sheyenne-Maple Flood Control Projects.

The inside levee of the Horace Project would stay in place. The channel would be deepened and the outside levee would move west. Further north, the Red River Diversion would run parallel to the west of the West Fargo Project.

Currently, with a flow of 4,600 cfs, 2,600 cfs goes down the project channel and 2,000 cfs remains in the river. All 4,600 cfs then goes around West Fargo. The Red River Diversion would be deeper than the Sheyenne River. With a flow of 4,600 cfs, 3,000 cfs would go down the Red River Diversion channel and 1,600 cfs would stay in the Sheyenne River. The Horace Project would become the Red River Diversion Channel. The West Fargo Project would continue to operate as it does today as 1,700 cfs is too much for the river to handle, so the gates would be closed and the 1,700 cfs would go around town.

It was asked how to keep properties along the Sheyenne-Maple Flood Control Projects from flooding. Mr. Volk explained that the water surface on the Red River Diversion during a 100-year flood would be below the natural ground, so the water level would probably be higher in the West Fargo Project than the Red River Diversion, where they are flowing side by side around West Fargo. The Red River is lower than the Sheyenne River, so the Red River Diversion channel continues to get lower as it goes west.

A property owner opined that the Red River Diversion would benefit the entire area, as it would increase flood protection along the Horace Project from 100-year to 500-year.

Mr. Volk said the Red River Diversion would provide another benefit. The Sheyenne-Maple Flood Control Projects help with Sheyenne River flows and the Red River Diversion would keep the Red River from reaching the area. In 2009, the Red River was higher than the ground by homes in the area. If the Red River flood fight fails, there is a threat the water can get into West Fargo. Mr. Volk said he was very confident that West Fargo could have protected itself in 2009. A 500-year flood would be 5' higher than the water was in 2009 and if that happens, we would have water in West Fargo. That is the type of flood they are looking to divert around the cities with the Red River Diversion. The Red River Diversion would keep communities safe and if the communities are safe, there is a place to work and shop. If any of the communities get destroyed, it will affect everyone.

Jim Schreier said there is no ownership on the river channel and asked about maintaining the river banks and who would pay to maintain them. He said the area is at risk when the river does not have adequate capacity. Chad Engels said the City Of West Fargo works with residents along the river north of 52nd Avenue South. The City of Horace probably does something similar.

Manager Brodshaug thanked everyone for attending and closed the meeting.

Adjournment

There being no further business for the Board to consider, the meeting adjourned without objection.

APPROVED:

Mark Brodshaug
Vice Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer